

**REMARKS**

The above-identified application is United States application serial number 09/845,390 filed on April 30, 2001. Claims 1-20 are pending in the application. Claims 1-20 are rejected.

**Rejection of Claims under 35 U.S.C. §103**

Claims 1-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Pavley (U.S. Patent No. 6,445,460) in view of Anderson et al (U.S. Patent No. 6,177,956). Applicants have amended the claims to distinguish over the cited references. Regarding all claims, Pavley and Anderson do not disclose either "storing image data elements in an image storage queue in a chronological order based on time of image capture by the camera" or "determining capacity for the camera to add additional image data elements to the image storage queue as a function of said archival status and said chronological order in combination."

Claim 2 further distinguishes over Pavley in view of Anderson because the references do not disclose a "header [that] stores information relating to image data element archival status and time and date of associated image data capture."

Claims 3 and 8 further distinguish over the combined references which fail to disclose a "filename [used] for identifying the image data element in a directory system."

Claim 4 further distinguishes over the combined references which fail to disclose "an organizational structure comprising a file system directory including a reserved location for archived image data elements."

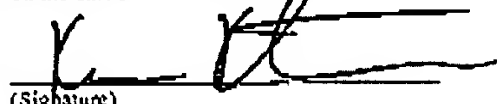
Claim 12 further distinguishes over the combined references which fail to disclose "deleting from the memory storage unit at least one said archived image data element according to the chronological order."

Claim 13 further distinguishes over the combined references which fail to disclose "deleting the oldest archived data element in said image storage queue."

**CONCLUSION**

The application, including all remaining Claims 1-20, is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned at (949) 251-0250.

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Central Number at (571) 273-8300 on the date shown below:



(Signature)

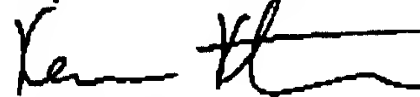
Ken Koestner

(Printed Name of Person Signing Certificate)

August 2, 2005

(Date)

Respectfully submitted,



Ken J. Koestner

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